UNITED STATES DISTRICT COURT DISTRICT OF MASSACHUSETTS

C.A. No. 05-10490 NMG

NANCY BUCKLEY, Plaintiff v. CITY OF BROCKTON SCHOOL DEPARTMENT, Defendant

LOCAL RULE 16.1 (D)(3) CERTIFICATION OF DEFENDANT, CITY OF BROCKTON SCHOOL DEPARTMENT

Counsel for the defendant, City of Brockton School Department, has conferred with the City of Brockton as to a budget for the litigation and alternative dispute resolution.

CITY OF BROCKTON SCHOOL DEPARTMENT Defendant

> Frank A. Smith, III-BBO#467500 FRANK A. SMITH, III &

ASSOCIATES, P.C.

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Boston, MA 02108 (617) 723-3273

DATED August 9, 2005

CITY OF BROCKTON

Thomas L. Plouffe

City Solicitor

Law Department, City Hall

45 School Street

Brockton, MA 02301-9927

(508) 580-7110

CERTIFICATE OF SERVICE

Document 8

I, Frank A. Smith, III, Counsel of Record for the defendant, City of Brockton School Department, hereby certify that I have this day, August 9, 2005 served a copy of the within LOCAL RULE 16.1 (D) (3) CERTIFICATION OF DEFENDANT, CITY OF BROCKTON, by first class mail, postage prepaid, to:

> Kevin G. Powers, Esquire Rodgers, Powers & Schwartz, LLP 18 Tremont Street Boston, MA 02108 ATTORNEY FOR PLAINTIFF

Frank A. Smith, III - BBO #467500

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